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## **Attorneys for Defendant Citibank, N.A.**



3/16/2010

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

## SAN JOSE DIVISION

ANITA HUNTER, an individual; JOHNNA ) Case No. C 09-02079 JW  
BOZZA, an individual; CELLTEX SITE )  
SERVICES, LTD., a Texas Limited Company; ) Assigned to: Honorable James Ware  
GRANDE INVESTMENT, LLC, a Colorado )  
Limited Liability Company; QUIRK INFINITI, ) **STIPULATION TO EXTEND TIME TO**  
INC., a Massachusetts corporation; MICHAEL ) **MARCH 24, 2010 FOR DEFENDANTS**  
WHITTON, an individual; DOE PLAINTIFF, ) **CITIBANK AND UNITED WESTERN**  
an individual; and all others similarly situated, ) **BANK TO RESPOND TO THE SECOND**  
 ) **AMENDED COMPLAINT**

Plaintiffs.

VS.

**STIPULATION TO EXTEND TIME TO MARCH 24, 2010 FOR DEFENDANTS CITIBANK AND UNITED WESTERN BANK TO RESPOND TO THE SECOND AMENDED COMPLAINT; CASE NO. C 09-02079 JW**

1 CITIBANK, N.A., a Nevada Corporation; )  
2 COUNTRYWIDE BANK, FSB, a Virginia )  
Corporation; BANK OF AMERICA )  
3 CORPORATION, dba BANK OF )  
AMERICA, N.A., a North Carolina )  
4 Corporation; UNITED WESTERN BANK )  
(f/k/a MATRIX CAPITAL BANK), a )  
5 Colorado Corporation, et al., )  
6 )  
7 Defendants. )  
8 )  
9

9 Defendants Citibank, N.A. (“Citibank”) and United Western Bank (“UWB”), and  
10 plaintiffs, by their respective attorneys of record, in order to stipulate that Citibank and UWB shall  
11 have until March 24, 2010 to answer, move or otherwise respond to plaintiffs’ Second Amended  
12 Complaint [docket #267], state as follows:

13 WHEREAS, plaintiffs filed their Second Amended Complaint on March 3, 2010,  
14 pursuant to the Court’s February 3, 2010 Order [docket #264];

15 WHEREAS, pursuant to Fed. R. Civ. P. 15(a)(1)(3), Citibank’s and UWB’s  
16 responses to the Second Amended Complaint would be due in 14 days, on March 17, 2010;

17 WHEREAS, by agreement of counsel for Citibank, counsel for UWB, and counsel for  
18 Plaintiffs, the parties have stipulated that Citibank and UWB may have an additional week, for a  
19 total of 21 days to answer, move, or otherwise respond to the Second Amended Complaint;

20 WHEREAS, pursuant to that agreement, the new due date will be March 24, 2010;  
21 and

22 WHEREAS, the one-week extension will not affect any dates set by the Court in this  
23 matter.

24 THEREFORE, Citibank, UWB, and plaintiffs respectfully stipulate that Citibank and  
25 UWB be permitted to answer, move or otherwise respond to plaintiffs’ Second Amended Complaint  
26 by March 24, 2010.

1 Dated: March 12, 2010

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3 By: /s/ John K. Van De Weert

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29 *Attorneys for Plaintiffs Quirk Infiniti, Inc.  
30 and the Class*

31 I, John K. Van De Weert, am the ECF user whose ID and password are being used to file this  
32 Stipulation. In compliance with General Order 45.X.B., I hereby attest that the counsel listed above  
33 concurred with this filing.